

LAW OFFICE OF
LAURIE M. FIERRO, P.A.
135 KINNELON RD. SUITE 104
KINNELON, NEW JERSEY 07405

(973) 838-4405

FAX: (973) 838-4955

April 25, 2008

VIA ELECTRONIC FILING

Hon. Katherine S. Hayden
United States Post Office and Courthouse Building
Room 311
P.O. Box 999
Newark, New Jersey 07101-0999

Re: United States vs. Rasheem Small et. al.
My Client Donvae Barnes
Cr. No.: 08-09 (KSH)

Dear Judge Hayden:

Please be advised that I represent Donvae Barnes in this case, in which defense motions are to be filed by April 28, 2008. I am requesting additional time in which to file motions on his behalf for the following reasons.

I have been supplied with discovery consisting of, among other items, numerous CDs of state and federal wiretaps. I have successfully reviewed all CDs of the state wiretap, but no CDs from the federal wiretap are capable of review using any current software. I advised A.U.S.A. Robert Frazier of this fact by telephone on April 15, 2008, requesting information as to how those CDs were burned. I confirmed the request by letter to him of April 17, 2008; I have not had a reply. This issue is particularly important and relevant to Donvae, since I have thus far heard no conversations in which he was either a participant or even mentioned. Mr. Frazier has advised that he may be a participant in conversations on the federal wiretap of Abdullah Meyer, which are on the CDs I am unable to review.

In addition to this difficulty, my husband was involved in an accident recently, suffering a punctured lung and broken ribs. As a result, I have spent significant time recently taking care of him, since he was unable to do so himself. As a result, I have not had sufficient time to fully review the numerous documents also supplied in discovery.

Please be advised that the Government response to defense motions has been set for May 28, 2008; the defense reply is due on June 9, 2008; motions are set to be heard by the Court on June 16, 2008 and trial is set for October 6, 2008. Since there is a significant period of time between the oral argument date and the trial date, I request that the briefing schedule for motions be extended by several weeks.

Hon. Katherine S. Hayden
April 25, 2008
Page Two

Respectfully submitted,

/S/

Laurie M. Fierro

LMF/taw
c: all counsel via electronic filing